



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,197	08/21/2001	Daisuke Ito	0879-0346P	6456

2292 7590 12/24/2002

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

HARRIS, TIA M

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 12/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/933,197

Applicant(s)

ITO ET AL.

Examiner

Tia M Harris

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 03 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

The applicant's arguments are noted. It was the examiner's intention to identify the wireless transmission of image data as taking place between the camera/processor (1,2) to the external apparatus (3). This change is presented in the accompanying Office action, which is made Non-Final.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4, 6, 10, 12-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al (5953481) (hereafter referred to as Watanabe) in view of Freeman et al (5579239) (hereafter referred to as Freeman).

**(Claims 1, 12)** Watanabe discloses a reproducing apparatus having an editing function. This apparatus includes a camera-integrated type VTR that comprises a body (10), a control part provided to the body (5), the control part being operated by a user, communication device which transmits image data (Col 10, Lines 16-20), and a wireless communication device (3) that transmits operation information corresponding with operation of the control part to an external apparatus to remotely control the external apparatus (Col 9, Lines 61-67; Col 10, Lines 1-38).

Art Unit: 2615

Watanabe does not specifically disclose the wireless communication device transmits image data.

Freeman discloses a remote video transmission system wherein image data is transmitted wirelessly from a camera-integrated device (1,2) to an external apparatus (3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made that the image data transmitted by Watanabe would be transmitted wirelessly, in the manner taught by Freeman, so communication would be made easier by being accessible in areas where standard lines are inaccessible.

**(Claims 3-4, 13)** Watanabe further discloses a storing device that stores identification information for specifying the external apparatus (Col 8, Lines 8-12) and a specifying device (5) that specifies the external apparatus from the identification information stored in the storing device. Freeman further discloses compressing the image data, transmitting the data, and then decompressing the image data at the external apparatus (Abstract, Lines 1-6). It would have been obvious to one having ordinary skill in the art at the time the invention was made to compress and decompress the image data transmitted by Watanabe, in the manner taught by Freeman, to be able to use low band width lines and reduce time needed to transmit data across the lines.

**(Claim 6)** Freeman further discloses the external unit has a display (Col 4, Lines 28-31; Col 5, Lines 2-3).

**(Claim 10)** Watanabe further discloses the control part comprises an operation key (input key group (5)).

**(Claim 14, 16)** Freeman further discloses difficulties encountered when transmitting data via wireless means. Some of the difficulties encountered include aligning the antennas of the transmitting and receiving apparatuses and obstructions between the transmitting and receiving

Art Unit: 2615

antennas (Col 1, Lines 47-56). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the camera and external apparatus would have to be within a predetermined distance from each other to allow the transmission of image data and information relating to the image data for storage on the external apparatus to occur without encountering the specified difficulties.

3. Claims 2, 5, 7, 9, 11, 15, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Freeman and Matsumoto et al (5796428) (hereafter referred to as Matsumoto).

**(Claim 2)** Watanabe in view of Freeman discloses an image reproducing apparatus as discussed above, and Watanabe further discloses the external apparatus comprises a wireless communication device (12) that communicates with the camera to receive accessory information. Not specifically disclosed in the inventions of Watanabe and Freeman is a processor configured to classify images received from the camera into image groups according to the accessory information and create virtual folders, each of the virtual folders comprising each of the image groups, and a displaying device which displays the virtual folders.

Matsumoto discloses an electronic photography system. Image data is captured by image capturing unit (101) and stored along with attribute data of the picture image data (Col 7, Lines 53-56). The storage/display unit accepts the attribute and image data from the image-capturing unit, display controller (112) creates album data based on the image and attribute data (Col 7, Lines 57-61; Col 8, Lines 18-19), and displays data on display (113). Display controller (112) classifies images received from image capturing unit (101) into groups according to attribute information and creates albums (virtual folders) that contain the image groups (Col 9, Lines 53-56; see Figs. 5, 7, 8), and display device (113) displays the albums (virtual folders).

Art Unit: 2615

It would have been obvious to one having ordinary skill in the art at the time the invention was made that auxiliary data could be used to group images taken by the apparatus disclosed by Watanabe in view of Freeman into "albums" based on the attribute data, in the manner taught by Matsumoto, to designate which folder to put images in, to keep related pictures together in a place where they are easily accessible, and to minimize rearrangement and loss of pictures.

**(Claims 5, 17)** Matsumoto further discloses a taking lens (202), CCD (203) that serves as an imaging device, and CCD controller (206) that serves as a recording device that records a captured image in storage unit (104) (Col 8, Lines 44-48, 56-59). All of these parts are notoriously well known camera elements.

**(Claims 7, 18)** Watanabe discloses a storing device and specifying device as discussed above in the rejection of Claim 3, and Freeman discloses the compressing means as also discussed above with reference to the rejection of Claim 3.

**(Claims 9, 11, 15)** Matsumoto discloses a camera with a body, taking lens, imaging device, and recording device as discussed above with reference to the rejection of Claim 5, and also discloses a processor configured to classify images as discussed above with reference to the rejection of Claim 2. Matsumoto further discloses the external apparatus comprises a storage/display controller (111) that comprises an inherent memory for storing program instructions, and display controller (112) responds to these instructions to classify received images. Watanabe in view of Freeman disclose a camera apparatus that comprises a wireless communication device, control part controlled by a user, and operation information, and an external apparatus that comprises a wireless communication device, as discussed above with reference to the rejection of Claim 2.

**(Claim 19)** See rejection to Claims 14 and 16 above.

Art Unit: 2615

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia M Harris whose telephone number is 703-305-4807. The examiner can normally be reached on M-F 8:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

tmh ~~TMH~~  
December 18, 2002



ANDREW CHRISTENSEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600